

107TH CONGRESS
1ST SESSION

H. R. 2047

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2001

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To authorize appropriations for the United States Patent and Trademark Office for fiscal year 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Patent and Trademark
3 Office Authorization Act of 2002”.

4 **SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE**
5 **PATENT AND TRADEMARK OFFICE.**

6 There are authorized to be appropriated to the
7 United States Patent and Trademark Office for salaries
8 and necessary expenses for fiscal year 2002 an amount
9 equal to the fees collected in fiscal year 2002 under title
10 35, United States Code, and the Trademark Act of 1946
11 (15 U.S.C. 1051 et seq.).

12 **SEC. 3. ELECTRONIC FILING AND PROCESSING OF PATENT**
13 **AND TRADEMARK APPLICATIONS.**

14 (a) **ELECTRONIC FILING AND PROCESSING.**—The
15 Under Secretary of Commerce for Intellectual Property
16 and Director of the United States Patent and Trademark
17 Office (in this Act referred to as the “Director”) shall,
18 during the 3-year period beginning October 1, 2001, de-
19 velop an electronic system for the filing and processing
20 of patent and trademark applications, that—

21 (1) is user friendly; and

22 (2) includes the necessary infrastructure—

23 (A) to allow examiners and applicants to
24 send all communications electronically; and

1 (B) to allow the Office to process, main-
2 tain, and search electronically the contents and
3 history of each application.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—Of
5 amounts authorized under section 2, there is authorized
6 to be appropriated to carry out subsection (a) of this sec-
7 tion not more than \$50,000,000 for fiscal year 2002.
8 Amounts made available pursuant to this subsection shall
9 remain available until expended.

10 **SEC. 4. STRATEGIC PLAN.**

11 (a) DEVELOPMENT OF PLAN.—The Director shall, in
12 close consultation with the Patent Public Advisory Com-
13 mittee and the Trademark Public Advisory Committee, de-
14 velop a strategic plan that sets forth the goals and meth-
15 ods by which the United States Patent and Trademark
16 Office will, during the 5-year period beginning on October
17 1, 2002—

- 18 (1) enhance patent and trademark quality;
19 (2) reduce patent and trademark pendency; and
20 (3) develop and implement an effective elec-
21 tronic system for use by the Patent and Trademark
22 Office and the public for all aspects of the patent
23 and trademark processes, including, in addition to
24 the elements set forth in section 3, searching, exam-

1 ining, communicating, publishing, and making pub-
2 licly available, patents and trademark registrations.
3 The strategic plan shall include milestones and objective
4 and meaningful criteria for evaluating the progress and
5 successful achievement of the plan. The Director shall con-
6 sult with the Public Advisory Committees with respect to
7 the development of each aspect of the strategic plan.

8 (b) REPORT TO CONGRESSIONAL COMMITTEES.—

9 The Director shall, not later than January 15, 2002, or
10 4 months after the date of the enactment of this Act,
11 whichever is later, submit the plan developed under sub-
12 section (a) to the Committees on the Judiciary of the
13 House of Representatives and the Senate.

14 **SEC. 5. EFFECTIVE DATE.**

15 This Act shall take effect on October 1, 2001.

 Passed the House of Representatives November 6,
2001.

Attest:

JEFF TRANDAHL,

Clerk.